

DANIEL G. BOGDEN  
United States Attorney  
Nevada State Bar No. 2137  
MICHAEL A. HUMPHREYS  
Assistant United States Attorney  
Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101  
Telephone: (702) 388-6336 Facsimile: (702) 388-6787  
Counsel for Plaintiff

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	2:11-CR-118-KJD-(CWH)
	)	
ENRIQUE AQUINO	)	
	)	
	)	
Defendant.	)	

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**UNITED STATES' UNOPPOSED MOTION TO  
CONTINUE THE DATE TO RESPOND TO DAVID  
SERRANO'S MOTION FOR RETURN OF PROPERTY**

The United States of America ("United States"), by and through Daniel G. Bogden, United States Attorney for the District of Nevada and Michael A. Humphreys, Assistant United States Attorney, respectfully moves this Court to grant an extension of time, until and including September 26, 2012, for the United States to file its response to David Serrano's Motion To Return Property, that property being identified as:

a Heritage, model Rough Rider, .22 caliber revolver, serial number: F07048.

The Government's Opposition is currently due on July 19, 2012. David Serrano, proceeding *pro se*, consents to this motion. In this case, the defendant, Enrique Aquino, was indicted on March 23, 2011, for possessing, concealing and/or storing a firearm. On May 2, 2012, defendant Aquino pled guilty to possessing, concealing and/or storing a firearm. As a condition of that plea agreement, the defendant consented to the criminal forfeiture of the above-referenced handgun seized from him

1 coincident to his arrest. The United States learned through its own investigation that David Serrano  
2 was the true owner of that revolver. The United States Attorney for the District of Nevada formally  
3 notified Mr. Serrano about the gun and consistent with that notification, Mr. Serrano filed his Motion  
4 for Return of Property on July 2, 2012.

5 Pursuant to that filing, this Court ordered the United States to file its opposition to Mr.  
6 Serrano's motion by July 19, 2012. The parties are in the final stages of negotiating a settlement of  
7 this matter, and once executed and presented to this Court for ratification, the litigation will be  
8 complete, vitiating the need for the Government to file a response to Mr. Serrano's motion. This  
9 matter should be settled by September 26, 2012.

10 As noted above, Government counsel discussed the matter of a government continuance with  
11 David Serrano on July 13, 2012, and Mr. Serrano gave Government counsel authorization to  
12 represent to this Court that he (Mr. Serrano) consents to this motion.

13 This motion is not submitted solely for the purpose to delay or for any other improper  
14 purpose.

15 WHEREFORE, , the United States moves this Court to grant its motion to extend the time  
16 for the United States to file its Response To David Serrano's Motion For Return of Property for an  
17 additional 75 days, or until September 26, 2012.

18 DATED this 17th day of July, 2012.

19 Respectfully submitted,

20 DANIEL G. BOGDEN

21 United States Attorney

22  
23 /s/Michael A. Humphreys  
24 MICHAEL A. HUMPHREYS  
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IT IS SO ORDERED:

  
UNITED STATES MAGISTRATE JUDGE

DATED: July 18, 2012